

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MINNESOTA

Chambers of
PATRICK J. SCHILTZ
DISTRICT JUDGE

United States Courthouse
300 South Fourth Street
Minneapolis, Minnesota 55415
(612) 664-5480

August 31, 2021

Mr. Matthew Frank
Assistant Attorney General
State of Minnesota
445 Minnesota Street – Ste. 1400
Saint Paul, MN 55101-2131

Re: In Re Blue Grand Jury
Case No. 21-MC-0033 (PJS)

Dear Mr. Frank:

I write in response to your letter of earlier today, which was *not* filed under seal despite the docket entry to the contrary.

I first want to express my disappointment at your extraordinarily careless handling of confidential and sensitive information regarding a federal grand jury. I already had serious concerns about whether your office should continue to be entrusted with testimony and other evidence presented before federal grand juries, and your failure to ensure that your letter was filed under seal has certainly done nothing to assuage those concerns.

In response to your question: Because your letter was publicly filed and has been downloaded by at least one reporter, the contents of your letter are public information, and you do not need my permission to share public information with Judge Cahill. I want to make clear, however, that the Chief of Staff of the incoming Attorney General did not tell Chief Judge Tunheim that he knew for a fact that someone in the Civil Rights Division leaked the grand-jury information to the *New York Times*. Like any of us, the Chief of Staff can engage in speculation based on what is known about the leaks, but, to my knowledge, no one knows for certain whether the leaks came from the Department of Justice, your office, both, or neither. The matter remains under active investigation.

Sincerely,

s/Patrick J. Schiltz
Patrick J. Schiltz
United States District Judge